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SIPDIS

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SUBJECT: KUWAIT SEEKS FUNDING FOR TWO POTENTIAL TIP INITIATIVES

1. The GOK is taking positive steps to improve the TIP situation in Kuwait. However, some GOK officials and other local groups lack awareness of TIP issues and the capacity to implement needed legal, institutional, and other changes to increase protections for trafficking victims. The TIP issue in Kuwait mainly involves the exploitation of domestic servants and other laborers, many of whom work under conditions of indentured servitude. Many suffer from physical or sexual abuse at the hands of their employers. In order to assist the GOK in improving the TIP situation in Kuwait, specifically the welfare of domestic servants and other laborers, post proposes the following draft initiatives that could tap into the TIP fund currently available:

Police Awareness and Sensitivity Training Project (US\$50,000)

2. Domestic servants fall under the purview of the Ministry of Interior rather than the Ministry of Social Affairs and Labor. Therefore, they do not enjoy the protections normally accorded to other laborers in the private sector under the Labor Law. Runaway or abused domestics are often treated as criminals and are detained, jailed, or deported rather than offered counseling or other assistance as victims of trafficking. Although there is a small conciliation center attached to a local police station where runaway domestics can file complaints against abusive or exploitative employers, police officials in Kuwait lack the basic skills and awareness necessary to handle trafficking cases effectively. Most runaway or abused domestics turn to their source country embassies for conciliation or other assistance rather than to police authorities. Often, police officials do not speak English and lack the sensitivity necessary to deal with abuse cases and women's issues in general. Most trafficking and abuse cases are settled via informal mediation between the trafficked individual's source country embassy, employer, and GOK officials. Police officials in Kuwait are often from tribal Bedouin or bidoon families that tend to be less well educated than other members of Kuwaiti society and less familiar with international human rights issues. Domestic violence in general and abuse of domestic servants in particular are often regarded socially and culturally as private family matters rather than as human rights problems that warrant police or other intervention. A USG-funded initiative, carried out in collaboration with a local civic group or well-respected local training institute, to train police officers in a few key districts that suffer most from the trafficking and abuse problem, could help improve victim assistance in Kuwait.

3. Training would focus on increasing police awareness of, and sensitivity towards, the trafficking problem, improving police coordination and dialogue with source country embassies and labor groups, and strengthening police investigative capabilities to find, identify, and prosecute potential trafficking rings or fraudulent employment recruitment agencies. To help ensure the sustainability of this intervention, training would be provided to a few leading members of each police force in a few high-prevalence districts who would then serve as trainers for other police officials on an ongoing basis. To enhance local legitimacy, a trafficking expert or experts from another Gulf or Arab country that has had strong experience in dealing successfully with similar labor exploitation problems would conduct the training rather than a U.S. or Western trafficking consultant (i.e., perhaps a trafficking expert in labor exploitation from the UAE). Funding would cover the honorarium costs of the trainer(s), airfare, lodging, meals, incidental expenses, instructional materials and resources, equipment and supplies. Training would be provided over a two-week period to ensure that trainers have adequate time to work with police officials, that they reach several police stations in a number of high-prevalence districts, and tailor the training to local needs and conditions.

Awareness Visit By U.S. Trafficking Consultant (US\$25,000)

4. This initiative would fund one or two U.S. trafficking experts (with a focus on labor exploitation problems rather than sex trafficking) to travel to Kuwait to consult with GOK officials of the Ministry of Interior, Ministry of Foreign

Affairs, National Assembly (Human Rights Defense Committee, Legal and Legislative Affairs Committee) and other potential groups on promoting awareness of USG TIP concerns and identifying ways to tighten protections against trafficking based on lessons learned and best practices derived from other countries' experiences in the region. Consultation could take the form of seminars or focus groups on key topics such as legal reform, strengthening law enforcement and monitoring of abusive or exploitative employers and labor recruitment agencies, improving the capacity of border monitoring for patterns of trafficking, and other areas. In the course of the seminars, the consultant(s) would gain a fuller appreciation of what the GOK is already doing in the area of trafficking and improving the treatment of domestic servants. The visit would be discreet and unpublicized, taking into account local sensitivities towards outwardly USG-funded human rights initiatives in the country. It would help ensure that the GOK and other local stakeholders fully understand USG TIP concerns while helping us more fully understand GOK efforts currently underway to combat the trafficking problem. Funding would support the travel to Kuwait of one or two U.S.-based experts (ideally fluent in Arabic) for a period of one week, salary costs, lodging, meals, incidental expenses, cost of informational materials, equipment and supplies. Funding would also cover immediate post-trip analysis, recommendations, and follow-up.

15. Other potential TIP-related initiatives that post is studying and that would not necessarily involve any USG funding might include an information technology initiative to create and implement a sponsor-employee information database network that would connect police stations, Ministry of Interior, and other GOK offices responsible for monitoring trafficking and abuse cases. The database would serve as a clearinghouse of information on sponsors and domestics to assist police and law enforcement authorities in preventing abusive employers from sponsoring additional employees, and to keep track of trafficking cases, legislation, visa, immigration, wage and other critical information.

16. Another possible initiative, again depending on GOK interest and ownership, might be an educational awareness campaign on the trafficking problem carried out through local advertisements on the radio and in print media. The advertisements would be tailored to the Kuwaiti context, developed ideally by cooperation between local civic groups, source country embassies, and GOK officials from the Ministry of Interior and the Ministry of Information, and focused on increasing broad public awareness of the rights and treatment of domestic servants and other foreign laborers in Kuwait. Radio advertisements could be broadcast in several languages on major local stations, such as Radio Sawa and stations that tailor their broadcasting to third country nationals. This would be a relatively low cost initiative that could reach a sizeable audience.

17. COMMENT: Post would like to secure available funding for these kinds of TIP initiatives in Kuwait to help assist the GOK in meeting TIP standards and to raise broader public awareness of the TIP problem. Post believes the GOK has taken some positive steps recently to improve the overall TIP situation in Kuwait, including a proposed new law to more closely regulate the hiring of domestic servants and functioning of local labor recruitment agencies. The situation of domestic servants is a key agenda item for the National Assembly's Human Rights Defense Committee, and it is actively studying the issue. These proposed TIP initiatives would come at an opportune time and help leverage efforts already underway by the GOK.

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